BILL NO. 95

Government Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act

CHAPTER 40
ACTS OF 2006

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 23, 2006

The Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Halifax, Nova Scotia
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2007-03019/

An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act

Be it enacted by the Governor and Assembly as follows:

1 Section 3 of Chapter 18, as amended by Chapter 9 of the Acts of 2000, Chapter 6 of the Acts of 2001, Chapter 35 of the Acts of 2001 and Chapter 9 of the Acts of 2003, is further amended by adding immediately after clause (ca) the following clause:

(caa) "transit facilities" includes a bus, a bus terminal, a bus shelter, a bus bay, a parking lot, a ferry, a ferry terminal and a ferry dock;

2 Subsection 12(2) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, is amended by striking out ", by policy," in the third line.

3 Subsection 16(2) of Chapter 18 is amended by striking out ", by policy" in the second line.

4 Subsection 81(1) of Chapter 18, as amended by Chapter 7 of the Acts of 2004, is amended by

(a) adding immediately after clause (b) the following clauses:

(ba) solid-waste management facilities;

(bc) transit facilities;

and

(b) striking out "transportation" in the fourth line of clause (g) and substituting "transit".

5 Subsection 131(4) of Chapter 18 is amended by

(a) striking out "owner" in the fifth line and substituting "vendor"; and

(b) striking out "owner's" in the fifth line and substituting "vendor's".

6 Section 192 of Chapter 18 is amended by adding immediately after subsection (2) the following subsection:

(3) The Minister may appoint an Assistant Provincial Director of Planning to perform the duties of the Provincial Director subject to the Director's supervision and direction.

7 Subsection 220(4) of Chapter 18, as amended by Chapter 9 of the Acts of 2000, is further amended by adding immediately after clause (k) the following clause:

(ka) regulate the floor area ratio of a building;

8 Section 232 of Chapter 18, as amended by Chapter 9 of the Acts of 2003, is further amended by adding immediately after subsection (4) the following subsection:

(5) A development officer may, with the concurrence of the property owner, discharge a site-plan, in whole or in part.

9 Section 234 of Chapter 18 is amended by striking out "discharged by council" in the fifth and sixth lines and substituting ", in the case of a development agreement, it is discharged by council and, in the case of a site-plan, it is discharged by the development officer."

10 Clause 268(2)(f) of Chapter 18, as enacted by Chapter 9 of the Acts of 2003, is amended by adding "or Her Majesty the Queen in right of the Province" **immediately after "municipality" in the first line.**

11 Subsection 273(5A) of Chapter 18, as enacted by Chapter 7 of the Acts of 2004, is amended by

(a) striking out "subsection (5)" in the first line and substituting "subsections (5) and (13)**";**

(b) striking out "subsection (5)" in the first line of clause (a) and substituting "subsections (5) and (13)**"; and**

(c) striking out "subsection (5)" in the first and second lines of clause (b) and substituting "subsections (5) and (13)**".**

12 Subsection 274(2) of Chapter 18, as amended by Chapter 9 of the Acts of 2003, is further amended by

(a) striking out "new transit bus bays" in the second line of clause (e) and substituting "new or expanded transit facilities**"; and**

(b) adding immediately after clause (d) the following clause:

(da) new or expanded solid-waste management facilities;

13 Subsection 285(2) of Chapter 18 is amended by striking out "forward the approved final plan of subdivision to be filed in the registry within seven days of its approval" in the second, third and fourth lines and substituting ", within seven days of the approval of a final plan of subdivision, forward two original copies of the approved plan to the registry, one of which is to be filed in the registry".

14 Subsection 309(4) of Chapter 18 is amended by

(a) striking out the period at the end of the second line and substituting a semicolon; and

(b) adding immediately after clause (d) the following clause:

(e) regulate or prohibit access to a controlled access street.

15 Subsection 348(2) of Chapter 18 is amended by striking out "personally" in the second line.

16 Section 479A of Chapter 18, as enacted by Chapter 9 of the Acts of 2003, is amended by

(a) adding "appointed pursuant to the municipality's collective agreement or" **immediately after "mediator" in the second line of clause (a);**

(b) adding "or the municipality's collective agreement" **immediately after "or" in the eleventh line of clause (a);**

(c) adding "or the municipality's collective agreement" **immediately after "Acts" in the twelfth line of clause (a);**

(d) adding "or the municipality's collective agreement" **immediately after "Acts" in the second line of clause (b); and**

(e) adding "or the municipality's collective agreement" **immediately after "Acts" in the second line of clause (c).**

17 (1) Subject to subsection (2), this Act comes into force on such day as the Governor in Council orders and declares by proclamation.

(2) Section 5 has effect on and after April 1, 2006, upon the Governor in Council so ordering and declaring by proclamation.